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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/845,589	04/30/2001	Dale F. McIntyre	82466RLO	2441

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02/25/2004

Thomas H. Close
Patent Legal Staff
Eastman Kodak Company
343 State Street
Rochester, NY 14650-2201

EXAMINER

ART UNIT	PAPER NUMBER
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DATE MAILED: 02/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Appeal Brief Defective

1. The appeal brief filed on December 22, 2003 is defective because the copy of the claims in the Appendix required under 37 CFR 1.192(c)(9) is incorrect. The amendment received September 26, 2003 subsequent to the final rejection was inadvertently indicated as entered for the purposes of Appeal by the Advisory Action mailed October 15, 2003. The Advisory Action indicated that the applicant's amendment includes limitations not previously claimed (i.e., "distinct from the page" and "forming a composition image on the page") and, therefore, require further search and/or consideration. The amendment, therefore, was not entered.


To avoid dismissal of the appeal, appellant must ratify the appeal brief within the longest of any of the following TIME PERIODS: (1) ONE MONTH or THIRTY DAYS from the mailing of this communication, whichever is longer; (2) within the time period for reply to the action from which appeal has been taken; or (3) within two months from the date of the notice of appeal under 37 CFR 1.191. Extensions of these time periods may be granted under 37 CFR 1.136.

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Monica S. Carter whose telephone number is (703) 305-0305. The examiner can normally be reached on Monday-Thursday (7:00 AM - 4:30 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrea L. Wellington can be reached on (703) 308-2159. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

February 25, 2004


MONICA S. CARTER
PRIMARY EXAMINER